



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING  
OF TUESDAY, JANUARY 2, 2007**

1. CALL TO ORDER

Mayor Wilson called the Regular Meeting of the Board of Aldermen to order at 7:30 p.m.

Following the Pledge of Allegiance, President of the Board Marilyn Ottenad gave the invocation.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Steinbrenner, Alderman Tullock, Alderman Ottenad, Alderman Wandishin, Alderman Diehl, Mayor Wilson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

a. Minutes of the Monday, December 18, 2006 Regular Board of Aldermen meeting

Alderman Clement made the motion to approve the Minutes of the Monday, December 18, 2006 Regular Board of Aldermen meeting. The motion was seconded by Alderman Ottenad and carried unanimously.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Ottenad asked Director of Parks and Recreation Judy De Rose if it is necessary to read item 10 (a) this evening, and Ms. De Rose responded that the application is due on January 5.

Alderman Diehl reminded the Board of Aldermen that item 9 (a) will be read for the second time on January 15.

Alderman Clement made the motion to approve the Order of Items on the Agenda as written. The motion was seconded by Alderman Steinbrenner and carried unanimously.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Comments from the Public

Mr. Dan O'Brien, 323 Hill Avenue, commended City Administrator Ed Blattner on his performance for the City.

6. REPORTS FROM THE MAYOR

a. Mayoral Report

Mayor Wilson said he had not scheduled any events for the past two weeks; he enjoyed his vacation.

Mayor Wilson stated that he only has one thing scheduled at present, a meeting with a constituent on Thursday.

Mayor Wilson reminded the members of the Board of Aldermen of the upcoming Work Sessions scheduled: January 20, February 24 and March 24. He said the storm water channel and runoff plan would be included in the January discussion; the February 24 discussion would involve planning for the Parks Department, and the March 24 agenda is open at this time.

Alderman Clement asked who would be leading the discussion on January 20; he suggested that staff support would be necessary.

Mayor Wilson said that he believes a refresher is necessary on the plan. He advised that there are a number of sites in the City where there are storm water runoff problems.

Alderman Clement asked if additional short topics could be added to the agenda, and Mayor Wilson stated that there is room on the agenda for additional incidental topics.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of December 13, 2006 – December 29, 2006)

There were no questions.

b. Discussion regarding public hearing for AT&T video on January 15

City Administrator Ed Blattner stated that on the January 15 agenda, there is a public hearing about AT&T video service, and it is believed that Charter Communications will be in attendance expressing opposition. He suggested that the Board open the Public Hearing and then recess the Public Hearing to allow the discussion about the police facility with James Estes so he can return to Kansas City that night.

Alderman Steinbrenner questioned the meeting on January 15. She asked if the meeting could be rescheduled since the day is a national holiday; she suggested rescheduling on January 16.

City Administrator Blattner said that several years ago, the City reviewed holidays, and the Board of Aldermen decided not to observe that holiday.

City Attorney Gunn expressed concern about schedules of the various individuals who would be participating in the Public Hearing which is scheduled for January 15, and he stated that there isn't enough time to re-publish it for January 16, so that would cause an additional problem.

Alderman Clement said that he believes there should be guidelines for AT&T and Charter regarding an amount of time they have to present.

Alderman Ottenad asked how much time was being allowed.

Mayor Wilson said he hadn't made arrangements with AT&T and Charter about timelines; he would hope the AT&T presentation could be kept within 30 minutes, and he hopes that Charter could keep their rebuttal to 20 minutes. He suggested that members of the Board of Aldermen review the transcript from Creve Coeur, in hopes that the presentation could be made in a smaller timeframe.

c. Bid opening for storm water project

City Administrator Blattner said that next Tuesday, January 9 at 10:00 a.m. the bid opening for the storm water project will take place. He said a tremendous number of contractors have picked up plans; that is a good sign. He said he had invited the trustees of Seven Oaks to come.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement said that the Planning and Zoning Commission did not meet on Christmas night, but there would be a meeting on January 8. He said that there is a case for a rezoning request of 200 Enchanted Parkway and 307 Forest Parkway.

b. Historic Review Commission

Director of Planning, Zoning, and Economic Development Franz Kraintz stated that the next meeting would be on January 15 at 5:30 p.m.

9. ACTION ON OLD BILLS

a. BILL # 06-1801 – AN ORDINANCE APPROVING SUBDIVISION OF PROPERTY AT 504 WREN

Alderman Diehl stated that the second reading of this Bill is postponed until the January 15, 2007 Regular Board of Aldermen meeting.

- b. BILL # 06-1805 – AN ORDINANCE ACCEPTING BID FOR THE IRRIGATION SYSTEM IN PAUL A. SCHROEDER PARK

Alderman Wandishin read Bill # 06-1805 for the second time, entitled: “AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH BAXTER GARDENS OF CHESTERFIELD IN AN AMOUNT NOT TO EXCEED TWENTY-THREE THOUSAND NINE HUNDRED FORTY DOLLARS (\$23,940.00) FOR AN IRRIGATION SYSTEM AT PAUL A. SCHROEDER PARK”, by title only.

Alderman Wandishin made the motion that Bill # 06-1805 become Ordinance # 07-1726. The motion was seconded by Alderman Clement.

Alderman Ottenad said she wanted to comment that the Homecoming Committee would be paying \$14,000 toward the cost of the irrigation system.

A poll of the Board showed:

Alderman Ottenad – aye  
Alderman Clement – aye  
Alderman Steinbrenner – aye  
Alderman Tullock – aye  
Alderman Diehl – aye  
Alderman Wandishin – aye

Mayor Wilson announced the motion passed 6 – 0.

- c. BILL # 06-1806 - AN ORDINANCE AUTHORIZING ENTERING INTO A COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT WITH ST. LOUIS COUNTY

Alderman Clement read Bill # 06-1806 for the second time, entitled: “AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO AN AGREEMENT WITH ST. LOUIS COUNTY, MISSOURI, SUPPLEMENTING THE CITY’S PREVIOUS MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT COOPERATION AGREEMENT”, by title only.

Alderman Clement made the motion that Bill # 06-1806 become Ordinance # 07-1727. The motion was seconded by Alderman Ottenad.

A poll of the Board showed:

Alderman Clement – aye  
Alderman Steinbrenner – aye  
Alderman Tullock – aye  
Alderman Diehl – aye  
Alderman Wandishin – aye  
Alderman Ottenad – aye

Mayor Wilson announced the motion passed 6 – 0.

10. INTRODUCTION OF NEW BILLS

a. RESOLUTION AUTHORIZING APPLICATION FOR NEEDS ASSESSMENT GRANT FOR CITY PARKS

Alderman Ottenad introduced Resolution # 07-0203, entitled: “A RESOLUTION APPROVING SUBMISSION OF AN APPLICATION FOR A NEEDS ASSESSMENT GRANT FROM THE ST. LOUIS COUNTY PARKS COMMISSION”, by title only.

Responding to Alderman Ottenad’s request for an explanation of the “Needs Assessment Grant”, Director of Parks and Recreation Judy De Rose stated that at the budget session there was \$1,000 budgeted for a 2007 planning grant. She said there were three choices: replacing items in the park; adding facilities, or looking to create a new park. Ms. De Rose said she had met with the Mayor to discuss this, and her recommendation was to see about a new park in the City. Ms. De Rose explained that since 1997, the City has annexed two times and the population has tripled, but no park land has been added. Ms. De Rose said that to hire a consultant, St. Louis County would pay \$4,000 and the City would pay \$1,000 on a \$5,000 project. She said the project should be done within four months. Ms. De Rose said that St. Louis County gave her a list of consultants to use. She said the planning grant is only a couple years old, and SWT Design has a history with the grant. Ms. De Rose said the consultant would evaluate the City and advise where the City is short on park land.

Alderman Steinbrenner said there is a nice large parcel of land by Mandalay Subdivision; she wondered if that land is being considered for park land.

Ms. De Rose responded that she had shown the consultant where the trail would cross 141, and the consultant did see the parcel of land.

There was some discussion about the amount of the proposal and some possible additional fees.

Alderman Ottenad made the motion for approval of Resolution # 07-0203. The motion was seconded by Alderman Clement and carried unanimously.

b. RESOLUTION PERTAINING TO DONATIONS TO THE CITY PARKS

Alderman Steinbrenner read Resolution # 07-0204, entitled: “A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A MISSOURI NON-PROFIT CORPORATION FOR THE PURPOSE OF ACCEPTING TAX DEDUCTIBLE DONATIONS FOR PARKS IN THE CITY OF MANCHESTER”, by title only.

Alderman Clement stated that he believes that in the past, many of the City’s parks were gifts from individuals, and he asked how those gifts were made.

City Attorney Gunn answered that those donations were made directly to the City, and as being made direct to the City, they are tax deductible. He said this is proposed to be a separate corporation which would be a separate entity from the City, subject to the control of the Board of Aldermen, with the supervision of the City Administrator. He said it is an effort to create another entity for the purpose of receiving these donations; he said he believes this is becoming a very common situation.

Director of Parks and Recreation Judy De Rose said that at classes at Conference, she learned about this possibility. She said that donations would be tax deductible, and Foundations often make donations to Foundations; people do not give monies to cities. Ms. De Rose said she would be able to write grants to Foundations to get money for the new Foundation. She said that perhaps instead of approving the Resolution at this meeting, she would like to gather more information to discuss at the February meeting.

Alderman Ottenad asked if there would be costs to the City for setting up this Foundation.

City Attorney Gunn responded that there would be some attorney's fees for setting it up, and there is a filing fee with the Internal Revenue Service. He said the corporation needs to be set up, and then an application needs to be filed with the Internal Revenue Service to receive a 501 (c) (3) exemption. He said the Internal Revenue Service examines the Foundation, and if everything is in order, a certificate is issued indicating that the Foundation is a not-for-profit organization. Attorney Gunn said that after the initial fees, the corporation needs to be kept in good standing. He said he doesn't expect this to be a costly situation.

Director of Finance Michelle De Pew stated that it would be much like filing taxes.

Mayor Wilson said he believes that once the Foundation is established and assuming it receives funds, it would be self-sustaining.

Alderman Clement asked Ms. De Rose if she was asking that this Resolution be passed tonight, and Ms. De Rose said she needed to get more information.

Alderman Clement asked if there are known benefactors out there, and Ms. De Rose said there could be some down the line.

Alderman Clement asked how this would be promoted, and Ms. De Rose answered that the information could be included in the *Courier*, and on the City's website.

Alderman Tullock said that he understands there is an advantage in setting this up because it opens doors; he wanted to know if any doors would be closed, and Ms. De Rose responded that would not be the case.

There was further discussion about how the Foundation would be set up. This item will be included on the next meeting agenda for the Board of Aldermen.

c. BILL AUTHORIZING CONTRACT WITH HEIDEMAN ASSOCIATES, INC.  
FOR SULPHUR SPRING COURT STREET IMPROVEMENTS

*Board of Aldermen 01/02/2007*

Alderman Wandishin introduced Bill # 07-1807, entitled: "AN ORDINANCE ACCEPTING THE BID OF HEIDEMAN ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED THIRTY-FOUR THOUSAND, TWO HUNDRED DOLLARS (\$34,200.00) FOR ENGINEERING SERVICES FOR THE DESIGN OF STREET AND DRAINAGE IMPROVEMENTS TO SULPHUR SPRING COURT IN THE CITY OF MANCHESTER AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT THEREFOR", by title only.

Alderman Wandishin questioned if the City has dealt with Heideman Associates before. He discussed the difference in the bid amounts and the time to completion.

City Administrator Ed Blattner said that the City has not dealt with Heideman Associates before, but the company has excellent references. He said all the firms who submitted bids are well qualified.

Alderman Ottenad asked what the current width is of Sulphur Spring Court and if this is the street that St. Louis County turned over to the City and if any improvements were made to the street.

City Administrator Ed Blattner answered that the current width is 19 feet and that before St. Louis County turned over the street to the City, the road was in bad shape, and there was some minimal work done by the County on the street, but they basically just wanted to walk away from it. He stated that the City asked for more repairs, but the County declined.

Alderman Ottenad asked if the work the City is now doing had been asked of the County before the road was turned over to the City, and Mr. Blattner said that is correct.

Alderman Wandishin said that residents on the street all signed a petition asking for these street improvements, and they said they would grant required easements for expansion of the street. He said the street is a main entry point for KinderCare, a church, and the residents who live in the area. He said that drivers can slip off the road in bad weather; there is a three-foot ditch.

Alderman Ottenad said the thing is that the County didn't just step up and make the improvements; the City now is responsible for making the improvements.

No further action is required at this time.

#### 11. Miscellaneous

##### a. Comments from the Public

Ms. Pauline Bair, 305 Morewood Drive, asked about the lawsuits.

City Attorney Gunn stated that he was advised by the Court that no appeal was taken to the Summary Judgments that were granted on the first Adams lawsuit. He said the deadline was December 28, and he hasn't seen any appeal process unless there is something still at the courthouse. He believes that case is concluded.

City Attorney Gunn said that in regard to the second Adams lawsuit, a Motion for Summary Judgment is being prepared, and it is expected to be filed within the next thirty days.

Ms. Bair asked if the City would be seeing a new Police Station soon.

Attorney Gunn responded that one of the cases is concluded; the one that was most troublesome, and that has been disposed of favorably for the City. He said they are optimistic about the second case.

Ms. Bair said that at the senior luncheon, Mayor Wilson had said the budget was balanced and the roads are in perfect condition; she asked where he drives. She stated there are a lot of spots in Baxter Acres that need repair. She said there have been patches and erosion, and she said it isn't serving well for the vehicles. There was discussion about the cold mix, which is a temporary fix, and Ms. Bair asked for a real fix to be done soon.

Alderman Wandishin addressed the "Ballchester" article in the newspaper. He said he had actually never spoken with the Mayor of Ballwin. He said he has received a lot of e-mails. He said it was thrown out as a topic to possibly look into. Alderman Wandishin said he was surprised at the number of people who responded expressing support, at least, in researching thoughts behind it, and wanting more information. He asked about discussing cost saving options at the upcoming Work Sessions. He suggested that there could be services that overlap, possibly not an actual combination of the cities. Alderman Wandishin said he wanted staff to know that this is just a theory or an idea at this time; nobody is losing their job or going anywhere.

Alderman Tullock said that he has received comments from some residents of Ward One who are opposed to a merger with the City of Ballwin. He said some residents had asked about Ballwin's financial condition. Alderman Tullock said he had no interest in pursuing the matter.

## 12. ADJOURNMENT

At 8:27 p.m., there being no further business, Alderman Clement made the motion to adjourn. The motion was seconded by Alderman Ottenad and carried unanimously.

The meeting adjourned at 8:27 p.m.

Respectfully submitted,

Ruth E. Baker, City Clerk